

COMMUNITY COLLEGES
EXECUTIVE BUDGET BILL

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this bill, the amounts listed in this part are appropriated for community colleges and certain other state purposes relating to education for the fiscal year ending September 30, 2010, from the funds indicated in this part. The following is a summary of the appropriations in this part:

COMMUNITY COLLEGES

APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	299,360,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	299,360,500
Federal revenues:		

1	Total federal revenues.....	0
2	Special revenue funds:	
3	Total local revenues.....	0
4	Total private revenues.....	0
5	Total other state restricted revenues.....	0
6	State general fund/general purpose.....	\$ 299,360,500
7	Sec. 102. OPERATIONS	
8	Alpena Community College.....	\$ 5,126,100
9	Bay de Noc Community College.....	5,178,400
10	Delta College.....	13,751,600
11	Glen Oaks Community College.....	2,304,800
12	Gogebic Community College.....	4,275,200
13	Grand Rapids Community College.....	17,219,800
14	Henry Ford Community College.....	20,898,900
15	Jackson Community College.....	11,542,300
16	Kalamazoo Valley Community College.....	11,888,600
17	Kellogg Community College.....	9,311,800
18	Kirtland Community College.....	2,842,800
19	Lake Michigan College.....	5,012,100
20	Lansing Community College.....	29,762,500
21	Macomb Community College.....	31,773,900
22	Mid Michigan Community College.....	4,289,200
23	Monroe County Community College.....	4,142,800
24	Montcalm Community College.....	2,981,600
25	C.S. Mott Community College.....	15,016,400

1	Muskegon Community College.....	8,518,600
2	North Central Michigan College.....	2,893,600
3	Northwestern Michigan College.....	8,682,000
4	Oakland Community College.....	20,133,700
5	St. Clair County Community College.....	6,729,800
6	Schoolcraft College.....	11,767,000
7	Southwestern Michigan College.....	6,276,900
8	Washtenaw Community College.....	12,149,000
9	Wayne County Community College.....	15,889,900
10	West Shore Community College.....	<u>2,198,500</u>
11	GROSS APPROPRIATION.....	\$ 292,557,800
12	Appropriated from:	
13	State general fund/general purpose.....	\$ 292,557,800
14	Sec. 103. GRANTS	
15	At-risk student success program.....	\$ 3,322,700
16	Renaissance zone tax reimbursement funding.....	<u>3,480,000</u>
17	GROSS APPROPRIATION.....	\$ 6,802,700
18	Appropriated from:	
19	State general fund/general purpose.....	\$ 6,802,700

20 PART 2

21 PROVISIONS CONCERNING APPROPRIATIONS

22 **GENERAL SECTIONS**

23 Sec. 201. Pursuant to section 30 of article IX of the state
 24 constitution of 1963, total state spending from state resources
 25 under part 1 for fiscal year 2009-2010 is \$299,360,500.00 and state

1 spending from state resources to be paid to local units of
2 government for fiscal year 2009-2010 is \$299,360,500.00. The
3 itemized statement below identifies appropriations from which
4 spending to local units of government will occur:

5	Operations.....	\$	292,557,800
6	At-risk student success program.....		3,322,700
7	Renaissance zone tax reimbursement program.....		<u>3,480,000</u>
8	TOTAL.....	\$	299,360,500

9 Sec. 202. The appropriations authorized under this bill are
10 subject to the management and budget act, 1984 PA 431, MCL 18.1101
11 to 18.1594.

12 Sec. 203. Unless otherwise specified, a community college
13 receiving appropriations in part 1 and the department of energy,
14 labor and economic growth shall use the Internet to fulfill the
15 reporting requirements of this bill. This requirement may include
16 transmission of reports via electronic mail to the recipients
17 identified for each reporting requirement or it may include
18 placement of reports on an Internet or Intranet site.

19 Sec. 209. Funds appropriated in part 1 shall not be used for
20 the purchase of foreign goods or services, or both, if
21 competitively priced and of comparable quality American goods or
22 services, or both, are available. Preference should be given to
23 goods or services, or both, manufactured or provided by Michigan
24 businesses, if they are competitively priced and of comparable
25 quality. In addition, preference should be given to goods or

1 services, or both, that are manufactured or provided by Michigan
2 businesses owned and operated by veterans, if they are
3 competitively priced and of comparable quality.

4 Sec. 210. The principal executive officer of each community
5 college receiving appropriations in part 1 shall take all
6 reasonable steps to ensure businesses in deprived and depressed
7 communities compete for and perform contracts to provide services
8 or supplies, or both. Each principal executive officer shall
9 strongly encourage firms with which the community college contracts
10 to subcontract with certified businesses in depressed and deprived
11 communities for services or supplies, or both.

12 Sec. 211. (1) The money appropriated in this bill is
13 appropriated for community colleges with fiscal years ending June
14 30, 2010, and shall be paid out of the state treasury and
15 distributed by the state treasurer to the respective community
16 colleges in 11 monthly installments on the sixteenth of each month,
17 or the next succeeding business day, beginning with October 16,
18 2009. Each community college shall accrue its July and August 2010
19 payments to its institutional fiscal year ending June 30, 2010.
20 However, if a community college fails to submit all verified
21 Michigan community colleges activities classification structure
22 data for school year 2008-2009 to the department of energy, labor
23 and economic growth by November 1, 2009, the monthly installments
24 shall be withheld from that community college until those data are
25 submitted. The amount distributed to a community college or

1 department shall not exceed the net state allocation authorized by
2 this bill.

3 (2) Except as otherwise provided by law, each of the amounts
4 appropriated shall be used solely for the respective purposes
5 stated in this bill. The money appropriated in this bill may be
6 used to match the cost of any available programs under the Carl D.
7 Perkins vocational and applied technology education act of 1998, 20
8 USC 2301 to 2415, including local administration.

9 Sec. 216. (1) A community college shall pay the employer's
10 contributions to the Michigan public school employees' retirement
11 system created by the public school employees retirement act of
12 1979, 1980 PA 300, MCL 38.1301 to 38.1408, as a condition of
13 receiving money appropriated under this bill.

14 (2) A community college shall not pay an employer's
15 contribution to more than 1 retirement fund providing benefits for
16 an employee.

17 Sec. 217. Money appropriated in part 1 shall not be used to
18 pay for the construction or maintenance of a self-liquidating
19 project.

20 Sec. 224. (1) Recognizing the critical importance of education
21 in strengthening Michigan's workforce, the state's public community
22 colleges are encouraged to explore ways of increasing collaboration
23 and cooperation with 4-year universities, particularly in the areas
24 related to training, instruction, and program articulation.

1 (2) Recognizing the central role of community colleges in
2 responding to local employment needs and challenges, community
3 colleges shall develop and continue efforts to collaborate with
4 local employers and students to identify local employment needs and
5 strategies to meet them.

6 (3) Community colleges are encouraged to collaborate with each
7 other on innovations to identify and meet local employment needs.

8 Sec. 234. Community colleges shall do the following:

9 (a) Undertake active measures to promote equal opportunities,
10 eliminate discrimination, and foster a diverse student body and
11 administration among all people including, but not limited to,
12 women, minorities, seniors, veterans, and people with disabilities.

13 (b) Review, analyze, and eradicate activities that may tend to
14 discriminate.

15 Sec. 241. (1) Community colleges are encouraged to expand
16 their current nursing education programs and increase nursing
17 education program enrollments. This expansion may include, but is
18 not limited to, creating partnerships with hospitals and other
19 health care providers and redirecting existing institutional
20 resources toward nursing education programs.

21 (2) Community college nursing programs are part of a
22 comprehensive solution to Michigan's nursing shortage. Community
23 college students can receive Michigan promise grants under 2006 PA
24 479, MCL 390.1621 to 390.1628 and are eligible to apply for
25 financial assistance through the Michigan college access grants.

1 The Michigan nursing corps grants described in section 431 of 2008
2 PA 251 and administered by the department of energy, labor and
3 economic growth provide funding to address the shortage of
4 qualified nursing faculty. Community colleges are encouraged to
5 coordinate with the chief nurse executive in the department of
6 community health and with 4-year universities to improve access to
7 nursing programs and to assist students to successfully enter the
8 nursing workforce.

9 Sec. 247. Funds appropriated in part 1 shall not be used to
10 enter into a lease for, or to purchase, a vehicle assembled or
11 manufactured outside of the United States if competitively priced
12 and comparable quality vehicles made in the state of Michigan or
13 elsewhere in the United States of America are available.

14 Sec. 248. It is expected that a public university or community
15 college receiving federal stimulus funds will not raise tuition and
16 fees charged to Michigan residents for the remainder of 2008-2009
17 and for 2009-2010.

18 19 **STATE AID - OPERATIONS**

20 Sec. 301. Unless otherwise stated, all data items used in
21 determining state aid in this bill are as defined in the 2001
22 Manual for Uniform Financial Reporting, Michigan Public Community
23 Colleges, which shall be the basis for reporting data, and the
24 Activities Classification Structure Manual for Michigan Community

1 Colleges, as amended, which shall be used to document financial
2 needs of the community colleges.

3 Sec. 302. A community college shall not include in the
4 enrollment data reported for determining state aid under this bill
5 any student credit hours or student contact hours for a student
6 incarcerated in a Michigan penal institution. Exclusion of these
7 students is intended to avoid the payment of state aid under this
8 bill for the same individuals for whom reimbursement is provided by
9 the state correctional system.

11 GRANTS

12 Sec. 401. (1) The community college at-risk student success
13 program is continued. The funding shall be prorated among community
14 colleges based on the number of student contact hours for
15 developmental and preparatory instruction reported by each
16 community college to the department of energy, labor and economic
17 growth pursuant to the Activities Classification Structure Manual
18 for Michigan Community Colleges, as amended. Of the amount
19 appropriated in part 1 for the at-risk student success program,
20 \$1,120,000.00 is allocated for base grants of \$40,000.00 each, to
21 address the special needs of at-risk students at community
22 colleges.

23 (2) Of the amount appropriated in part 1 for the at-risk
24 student success program, the balance of the appropriated money
25 shall be distributed on a proration utilizing the sum of the most

1 recent 3 years developmental/preparatory contact hours divided by
2 the sum of the 3-year total contact hours at each college. Each
3 community college's percentage shall be divided by the sum of all
4 the percentages systemwide to obtain each community college's
5 prorated grant amount.

6 (3) For the fiscal year ending September 30, 2010, the at-risk
7 student success program money is allocated as follows:

8	Alpena Community College.....	\$	83,000
9	Bay de Noc Community College.....		69,100
10	Delta College.....		106,400
11	Glen Oaks Community College.....		111,300
12	Gogebic Community College.....		56,300
13	Grand Rapids Community College.....		133,300
14	Henry Ford Community College.....		163,300
15	Jackson Community College.....		132,800
16	Kalamazoo Valley Community College.....		92,000
17	Kellogg Community College.....		152,600
18	Kirtland Community College.....		128,400
19	Lake Michigan College.....		147,000
20	Lansing Community College.....		157,000
21	Macomb Community College.....		84,200
22	Mid Michigan Community College.....		133,600
23	Monroe County Community College.....		104,100
24	Montcalm Community College.....		75,600
25	C.S. Mott Community College.....		113,300

1	Muskegon Community College.....	81,100
2	North Central Michigan College.....	109,800
3	Northwestern Michigan College.....	122,500
4	Oakland Community College.....	146,900
5	St. Clair Community College.....	123,100
6	Schoolcraft College.....	123,500
7	Southwestern Michigan College.....	152,300
8	Washtenaw Community College.....	127,300
9	Wayne County Community College.....	146,200
10	West Shore Community College.....	146,700

11 (4) As used in this bill, "at-risk students" means students
12 who meet 1 or more of the following criteria:

13 (a) Are initially placed in 1 or more developmental courses as
14 a result of standardized testing or as a result of failure to make
15 satisfactory academic progress.

16 (b) Are diagnosed as learning disabled.

17 (c) Require English as a second language (ESL) assistance.

18 (5) Grant funding under this section shall be utilized to
19 address the special needs of at-risk students. Activities related
20 to services provided to at-risk students include, but are not
21 limited to, pretesting for academic ability, counseling contacts,
22 and special programs. Equipment or information technology hardware
23 or software purchased under this section must be associated with
24 the operation of a program designed to address the needs of at-risk
25 students.

1 (6) Grant funding under this section shall not be used for
2 indirect costs including, but not limited to, rent, utilities, or,
3 except as provided in this section, college administration.

4 (7) Each community college shall report to the department of
5 energy, labor and economic growth a summary of all accomplishments
6 under, expenditures for, and compliance with the intent of this
7 program, including the number of at-risk students served. The
8 report is subject to audit as provided for in section 502(1). The
9 report shall be submitted not later than 90 days after the end of
10 the state's fiscal year.

11 Sec. 404. The appropriation in part 1 for renaissance zone
12 reimbursements shall be made to each eligible recipient no later
13 than 60 days after the department of treasury certifies to the
14 state budget director that it has received all necessary
15 information to properly determine the amounts due each eligible
16 recipient under section 12 of the Michigan renaissance zone act,
17 1996 PA 376, MCL 125.2692.

18
19 **REPORTS AND AUDITS**

20 Sec. 501. The department of energy, labor and economic growth
21 shall publish the activities classification structure data book for
22 Michigan community colleges on or before March 1, 2010.

23 Sec. 502. (1) The auditor general or a certified public
24 accountant appointed by the auditor general may conduct performance

1 audits of community colleges as the auditor general considers
2 necessary.

3 (2) Not more than 60 days after an audit report is released by
4 the office of the auditor general, the principal executive officer
5 of the community college that was audited shall submit to the house
6 and senate appropriations committees, the house and senate fiscal
7 agencies, the department of energy, labor and economic growth, the
8 auditor general, and the state budget director a plan to comply
9 with audit recommendations. The plan shall contain projected dates
10 and resources required, if any, to achieve compliance with the
11 audit recommendations, or a documented explanation of the college's
12 noncompliance with the audit recommendations concerning the matters
13 on which the audited community college and office of the auditor
14 general disagree.

15 Sec. 504. (1) A community college shall retain certified class
16 summaries, class lists, registration documents, and student
17 transcripts that are consistent with the taxonomy of courses. For
18 each enrollment period during the fiscal year, these certified
19 documents shall identify clearly by course the number of in-
20 district and out-of-district student credit and contact hours. The
21 class summaries and class lists shall be consistent with each other
22 and shall include the course prefix and numbers, course title,
23 course credit and contact hours, credit and contact hours generated
24 by each student, and activity classifications consistent with the
25 taxonomy. An auditable process shall be used by the community

1 college to determine the unduplicated head count for in-district
2 students, out-of-district students, and prisoners for each
3 enrollment period during the fiscal year.

4 (2) Contracts between the community college and agencies that
5 reimburse the community college for the costs of instruction shall
6 be retained for audit purposes.

7 Sec. 505. Each community college shall have an annual audit of
8 all income and expenditures performed by an independent auditor and
9 shall furnish the independent auditor's management letter and an
10 annual audited accounting of all general and current funds income
11 and expenditures including audits of college foundations to the
12 members of the senate and house appropriations subcommittees on
13 community colleges, the senate and house fiscal agencies, the
14 auditor general, the department of energy, labor and economic
15 growth, and the state budget director before November 15, 2009. If
16 a community college fails to furnish the audit materials, the
17 monthly state aid installments shall be withheld from that college
18 until the information is submitted. All reporting shall conform to
19 the requirements set forth in the 2001 Manual for Uniform Financial
20 Reporting, Michigan Public Community Colleges.

21 Sec. 506. (1) Each community college shall report the
22 following to the department of energy, labor and economic growth no
23 later than November 1, 2009:

24 (a) The number of North American Indian students enrolled each
25 term for the previous fiscal year, using guidelines and procedures

1 developed by the department of energy, labor and economic growth
2 and the Michigan commission on Indian affairs.

3 (b) The number of North American Indian tuition waivers
4 granted each term, and the monetary value of the waivers for the
5 previous fiscal year.

6 (2) Colleges shall use the criteria cited in 1976 PA 174, MCL
7 390.1251 to 390.1253, to determine eligibility for tuition waivers,
8 and shall grant those waivers to individuals who meet the criteria
9 and request tuition waivers.

10 (3) The department of energy, labor and economic growth shall
11 compile the information received under subsection (1) and shall
12 submit this compilation to the house and senate appropriations
13 subcommittees on community colleges, the senate and house fiscal
14 agencies, and the state budget director by January 7, 2010.

15 Sec. 507. Upon request, a community college shall inform
16 interested Michigan high schools of the aggregate academic status
17 of its students for the prior academic year, in a manner prescribed
18 by the Michigan community college association and in cooperation
19 with the Michigan association of secondary school principals.

20 Sec. 508. (1) Each community college shall report to the house
21 and senate fiscal agencies, the state budget director, and the
22 department of energy, labor and economic growth by August 31, 2009,
23 the tuition and mandatory fees paid by a full-time in-district
24 student and a full-time out-of-district student as established by
25 the college governing board for the 2009-2010 academic year. This

1 report should also include the annual cost of attendance based on a
2 full-time course load of 30 credits. Each community college shall
3 also report any revisions to the reported 2009-2010 academic year
4 tuition and mandatory fees adopted by the college governing board
5 to the house and senate fiscal agencies, the state budget director,
6 and the department of energy, labor and economic growth within 15
7 days of being adopted.

8 (2) The department of energy, labor and economic growth shall
9 prepare and provide to community colleges a standard format for
10 reporting tuition and fees pursuant to subsection (1).

11 Sec. 509. (1) Each community college shall report to the
12 department of energy, labor and economic growth the numbers and
13 type of associate degrees and other certificates awarded during the
14 previous fiscal year. The report shall be made not later than
15 November 15, 2009.

16 (2) The department of energy, labor and economic growth shall
17 compile the information received under subsection (1) and shall
18 submit this compilation to the house and senate appropriations
19 subcommittees on community colleges, the senate and house fiscal
20 agencies, and the state budget director by January 7, 2010.

21 Sec. 510. A community college receiving funding under this
22 bill and also subject to the student right-to-know and campus
23 security act, Public Law 101-542, 104 Stat. 2381, shall make a copy
24 of all material prepared in accordance with the public information
25 reporting requirements under the crime awareness and campus

1 security act of 1990, title II of the student right-to-know and
2 campus security act, Public Law 101-542, 104 Stat. 2384, available
3 in hard copy and electronic format accessible through the Internet
4 for school districts, parents, and students.